

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH  
1 East First Avenue  
Malvern, PA 19355

May 2, 2017  
6:30 P.M.

PRESIDING: Council Vice-President Uzman

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL: Council President Bramwell (Absent)  
Council Vice-President Uzman  
Council Member Grossman  
Council Member Lexer  
Council Member Meisel  
Council Member Siquett  
Council Member (Vacancy)  
Mayor Burton

2. RECORDING OF MEETING:

Council Vice-President Uzman asked in accordance with Resolution No. 714 if any member of the audience was recording the meeting.

One (1) audience member identified herself as recording the meeting as a member of the press.

3. MALVERNS WORLDWIDE – WELCOME CORA WEAVER & BRUCE OSBORNE & PRESENTATION:

Cora Weaver made a presentation about Malverns around the world and provided a slideshow. Ms. Weaver stated Malverns exist around the world and this project is an initiative to bring about active friendship across the globe. It was conceived by the Friends of Malvern Springs and Wells from Great Malvern, England. Saint Werstan was the founding saint of the medieval Great Malvern Priory in England - the original Malvern. He is also Patron Saint of our springs and wells. Although now usually viewed in a non-religious context, Saint Werstan became the founding father of the many Malverns throughout the world. Malvern Spring Waters flow out from the Malvern Hills in England and trigger abundant life in the surrounding lands, a metaphor for the friendship percolating throughout Malverns worldwide.

Pennsylvania State Senator Andrew Dinniman presented a gift to Cora Weaver and Bruce Osborne in honor of their visit.

On behalf of Pennsylvania State Senator Duane Milne, Bob Jones presented a gift and a United States flag that hung at the State Capital to Cora Weaver and Bruce Osborne in honor of their visit.

Mayor Burton presented a gift to Cora Weaver and Bruce Osborne in honor of their visit.

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Council Vice-President Uzman presented two (2) books “Malvern Treasures” and “Century of Malvern” which outline the history of the Borough of Malvern.

**4. RESOLUTION NO. 736 – APPOINTMENT OF A CHIEF ADMINISTRATIVE OFFICER FOR THE POLICE & NON-UNIFORMED PENSION PLANS:**

Borough Manager Bashore stated proposed Resolution No. 736 will appoint a Chief Administrative Officer (CAO) for the Police and Non-Uniformed Pension Plans for the Borough of Malvern. Act 205 requires the appointment of a CAO for the municipal pension plan(s). The act defines the functions of this individual to include: 1) Supervise and direct the preparation of the actuarial reports, which are submitted bi-annually to the Public Employee Retirement Commission; 2) Submit annually the financial requirements of the pension plans and minimum municipal obligations (this is completed in September of each year); and 3) Provide cost estimates for any proposed benefit change to Borough Council. The role of the CAO for the pension plans is typically filed by the Manager/Secretary for the municipality.

A motion was made by Council Member Lexer, seconded by Council Member Sinquett, and carried by a vote of 5-0 to adopt Resolution No. 736, appointing Christopher Bashore, Borough Manager, as the Chief Administrative Officer for the Borough of Malvern’s Police & Non-Uniformed Pension Plans pursuant to Act 205.

**5. OLD BUSINESS:**

- a. Ordinance No. 2016-2: Issuance of Non-Electoral Debt

Council Vice-President Uzman tabled this agenda item for discussion.

- b. Resolution No. 734 – Support for a Citizens’ Commission for Legislative and Congressional Redistricting

A motion was made by Council Member Sinquett, seconded by Council Member Grossman, and carried by a vote of 4-1, Council Member Lexer voted against, to adopt Resolution No. 734, in support of a citizens’ commission for legislative and congressional redistricting.

**6. NEW BUSINESS:**

- a. Borough Council Vacancy

Borough Manager Bashore stated at the April 18, 2017 meeting, Borough Council accepted the resignation of Christian Arena from his position on Borough Council. Borough Council authorized the advertisement of the vacancy pursuant to section 210 of the Borough’s Home Rule Charter. The advertisement for the vacancy was advertised in the April 20, 2017 edition of the Daily Local newspaper as required and was posted on the Borough website. The vacancy must be filled within 60 days after the vacancy occurs.

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Residents who applied and/or verbally expressed interest to fill the vacancy are: 1) Amy Finkbiner; 2) Gail Newman; 3) John Kohler; 4) Kelly Schmitt; 5) Catherine Raymond; and 6) John Buckley.

Catherine Raymond withdrew her application as she could not fill a vacancy of an unexpired term, per the Home Rule Charter regarding serving consecutive terms through appointment and election.

Council Member Grossman had each candidate to provide a summary of why they are interested in serving on Borough Council and what experience they have in borough affairs.

Council Vice-President Uzman thanked the candidates for their interest and stated the next step will be for Borough Council to make nominations at the May 16, 2017 meeting of Borough Council.

- b. Proposed Ordinance No. 2017-2: Amendments to the Malvern Police Pension, Death, and Disability Plan – Authorization to advertise

Borough Manager Bashore stated the proposed ordinance would amend Chapter 32, “Pensions,” of the Borough of Malvern Code of Ordinances in order to provide for a Deferred Retirement Option Plan (DROP) for the members of the Police Pension Fund. During the negotiations for the new Collective Bargaining Agreement (CBA), the Borough and the Police Association agreed on the establishment of a DROP. Per the CBA, the DROP has a two (2) year maximum participation and the decision to enter the DROP must be made within one (1) of an officer reaching normal retirement age. Act 205 requires that the municipality adopt an ordinance in order for the DROP to be put into effect. If Council were to authorize the proposed ordinance for advertisement, the ordinance could be considered for adoption at the May 16, 2017 meeting.

A motion was made by Council Member Siquett, seconded by Council Member Lexer, and carried by a vote of 5-0 to authorize advertisement for Ordinance No. 2017-2, to amend Malvern Police Pension, Death, and Disability Plan.

- c. Escrow Release Requests
  - i. 347 Old Lincoln Highway – Release Request No. 3

A motion was made by Council Member Lexer, seconded by Council Member Meisel, and carried by a vote of 5-0 to authorize the release of \$25,175.00 per the recommendation of the Borough Engineer’s letter dated, April 26, 2017

- ii. 361 Old Lincoln Highway – Release Request No. 5

A motion was made by Council Member Siquett, seconded by Council Member Lexer, and carried by a vote of 5-0 to authorize the release of \$3,750 per the recommendation of the Borough Engineer’s letter dated, April 27, 2017.

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d. Zoning Hearing Board

Borough Manager Bashore stated one (1) new application is before the Zoning Hearing Board. The applicants are Jerome and Patty Heppelmann and the subject property is 5 Raffaella Drive. The applicant is seeking a variance from Chapter 220, Section 602.B.6 in order to allow for an additional 266 sq. ft. (2.4%) of maximum lot coverage for the expansion of a rear-yard deck. The Planning Commission is scheduled to review this application at their May 4, 2017 meeting and will provide comments to Borough Council for the May 16, 2017 meeting. The hearing is scheduled for May 22, 2017.

e. Halloween Parade

Borough Manager Bashore stated the organizer for the annual Halloween Parade has stepped down from her position. A replacement will be announced in the future.

7. PUBLIC FORUM:

Council Vice-President Uzman advised citizens/taxpayers that Public Forum is the time to offer comments to bring any issues/concerns before Council that are not on the agenda. Council Vice-President Uzman informed all present that copies of the agenda are available at the front entrance.

a. John Buckley, 165 Church Street, inquired why there was no police response when he had his mother transported for medical care. Police Chief Marcelli instructed Mr. Buckley to follow-up with him directly to discuss.

b. Carol Speece, 6 Nolan Drive, stated a large dumpster has been on Nolan Drive for weeks and it causes a safety issue for drivers trying to see around it. Ms. Speece stated King Street residents and visitors have been parking their vehicles for extended periods of time on Nolan Drive limiting use by residents of Nolan Drive, as well as, narrowing the roadway causing a safety concern. Police Chief Marcelli said he is aware of the dumpster and will have his officers investigate the matter, as well as, Ms. Speece's concerns of the on-road street parking.

c. Barbara Casey, 103 Margaret Lane, stated a semi-truck on King Street, near the gas station ran into a telephone pole causing it to severely lean. Police Chief Marcelli and Borough Manager Bashore will look into the matter and follow-up with Borough Council on any resolution.

8. ADJOURMENT:

Council Vice-President Uzman stated Council held an Executive Session at 6:00 p.m. to discuss personnel matters.

All business having been discussed, a motion was made by Council Member Siquett, seconded by Council Member Grossman, and carried by a vote of 6-0 to adjourn the meeting at 7:40 p.m.

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Respectfully submitted,

Neil G. Lovekin  
Assistant Secretary